

# United States Senate

WASHINGTON, DC 20510

882

October 25, 2017

The Honorable Ajit Pai  
Chairman  
Federal Communications Commission  
445 12<sup>th</sup> St. SW  
Washington, DC 20554

Mr. Lowell C. McAdam  
Chairman and Chief Executive Officer  
Verizon  
1095 Avenue of the Americas  
New York, NY 10036

Mr. Randy Falco  
President and Chief Executive Officer  
Univision Communications  
605 Third Avenue  
New York, NY 10158

Dear Chairman Pai, Mr. McAdam, and Mr. Falco:


We write to express our concern about the ongoing retransmission consent dispute between Univision and Verizon. As of last week, Univision is no longer available on Verizon's FiOS platform.

This retransmission dispute is particularly serious in light of the ongoing humanitarian crisis in Puerto Rico. As the situation in Puerto Rico changes, access to Spanish-language news programming is crucial. We believe the public interest would be best served if carriage is restored by the parties at the earliest possible time so that consumers are no longer caught in the middle.

We make no representations as to the merits of either side's position, as they are contractual discussions between private parties. Nevertheless, we encourage both parties to engage in good faith negotiations to resolve this issue. We also request that the Commission take action to bring the parties together so these negotiations can be concluded in an equitable and expeditious manner. Consumers should no longer be unfairly disadvantaged as a result of this dispute.

Thank you for your attention to this important issue.

Sincerely,

  
Edward J. Markey  
United States Senator

  
Elizabeth Warren  
United States Senator

*Bob Casey, Jr.*

Robert P. Casey Jr.  
United States Senator

*Robert Menendez*

Robert Menendez  
United States Senator

*Cory A. Booker*

Cory A. Booker  
United States Senator

*Benjamin L. Cardin*

Benjamin L. Cardin  
United States Senator



FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

OFFICE OF  
THE CHAIRMAN

December 6, 2017

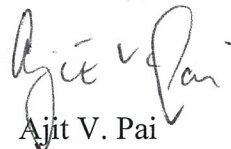
The Honorable Cory Booker  
United States Senate  
359 Dirksen Senate Office Building  
Washington, D.C. 20510

Dear Senator Booker:

Thank you for your letter expressing concern regarding the retransmission consent dispute between Univision and Verizon. As you stated, retransmission consent negotiations are private contractual discussions. However, the Commission does follow retransmission consent disputes closely and encourages the parties to reach agreement so that viewers are not negatively affected. We are pleased to report that Univision and Verizon have reached an agreement and that the Univision signals have been restored.

I appreciate your interest in this matter. Please let me know if I can be of further assistance.

Sincerely,



Ajit V. Pai

P.S. Senator, I heard through some mutual friends about some remarks you gave about civility in political discourse, especially in the age of social media. In case you're interested, I recently gave a speech on this topic. If you'd like to discuss the topic sometime, I'd love to speak with you.

**REMARKS BY FCC CHAIRMAN AJIT PAI  
AT THE MEDIA INSTITUTE**

**WASHINGTON, DC**

**NOVEMBER 29, 2017**

I take the stage at a bittersweet moment. As you may know, the Media Institute's longtime leader, Patrick Maines, is stepping down. Considering his stature, I feel compelled to open with a variant on Shakespeare:

*Friends, lawyers, countrymen, lend me your ears;  
I come to praise Patrick Maines, not to bury him.*

Since 1984, Patrick has led the Media Institute with great distinction. 33 years of standing strong for the First Amendment, the spine of American democracy. 33 years of advocating for values we prize, like freedom of expression, journalistic excellence, and open markets. 33 years of perceptive cultural commentary, such as when he opined in *USA TODAY* four years ago that *Breaking Bad* was "perhaps the best show that's ever been on television." And 33 years of urging the FCC to adopt better policies, such as when he proclaimed that "deregulation is the only rational approach in the radically transformed digital information age of media abundance in the 21st century." (He wrote that in Media Institute comments to the FCC 17 years ago; I'm sorry it took us this long to respond.)

Patrick, thank you for your able leadership. As you depart the stage, we're grateful for your contributions to the Media Institute and to the body politic. What Marc Antony said in Shakespeare's *Julius Caesar* could well be said of you: "Only he acted from honesty and for the general good. His life was gentle, and the elements mixed so well in him that Nature might stand up and say to all the world, 'This was a man.'" Congratulations on your work and godspeed.

Speaking of transitions, these are difficult times for many of those who tell the stories that define our communities—America's broadcasters and newspapers. Attention spans are short. Advertising dollars are going elsewhere. Competitors are everywhere.

I value the work that our media does, and my record reflects that. That's why the FCC under my leadership has aggressively modernized its rules to give broadcasters and newspapers a fair chance to compete. From updating our media ownership rules to reflect 2017 instead of 1975, to repealing outdated regulations, we're doing what we can to encourage a bright future for those who keep our communities informed.

But let's be honest: Americans are increasingly turning away from traditional media and toward the Internet. And even with greater freedom for newspapers and broadcasters to compete, this shift toward online platforms as the go-to place for news, information, and entertainment is certain to continue.

There are many sources, as you know—streaming video, gaming, and the like—but a major factor is social media. Two-thirds of U.S. adults get news from social media. For Americans under 50, it's four out of five. Twitter, Facebook, Snapchat, Instagram, and other online platforms are where millions of Americans now "meet" and "talk." In a sense, these platforms constitute the public square in the digital era.

Many public servants have entered that square in recent years, including me. In my first meeting as an FCC Commissioner in 2012, I announced that I had joined Twitter. I was the first Commissioner ever to do so. And it's taken me in some unexpected directions.

In December 2013, a tweet brought to my attention the story of Kari Rene Hunt, a woman who was killed that month by her estranged husband in a Marshall, Texas hotel room. Her nine-year-old daughter, who was with her, frantically tried dialing 911—but the call never went through because she

Swift Needs to Sit This Year Out.” The subhead for the last article contends that “[t]he pop star has always avoided politics, but in Trump’s America, there is no more room for her petty personal drama.”

Well—yes there is! She’s a singer and a songwriter. She’s talented. And people want to hear her—including me. If she chooses to use her voice to champion an issue, great. But no one should be demanding that she take a position on tax reform or illegal immigration. As Ms. Swift once intoned, “Haters gonna hate, hate, hate, hate, hate.” I hope she keeps shaking it off.

This view that politics-is-all is often made worse by social media. I’ll bet you’ve seen it too in your own lives. I’m no longer active on Facebook, but when I was, I saw a dynamic play out time and again on my News Feed. I used to love seeing snapshots of my friends’ lives—kids’ pictures, job updates, and so on. But those happy timelines changed dramatically in the lead-up to and aftermath of the 2016 presidential election. Friends who had known each other for years—sometimes going back to grade school—would routinely denounce each other in very harsh terms. I can’t tell you how many times I saw a friend post something like “If you voted for [pick a candidate], unfriend me now. We clearly have nothing in common, because you’re [pick a pejorative], and I don’t want to associate with you.”

Ironically—or maybe fittingly—I saw for myself a great example of how political social media has gotten. It came after a recent non-partisan forum on the Future of Speech Online hosted by the Newseum Institute, the Center for Democracy and Technology, and the Charles Koch Institute. I was invited to speak, as was activist DeRay Mckesson. We sat next to each other and had a chance to chat. After the event, DeRay tweeted, and I quote, “@AjitPaiFCC, good to meet you today. Looking forward to a longer conversation soon.” I replied, “Good to meet you as well, @deray! Hope to catch up sometime soon—much to talk about, incl[uding] possible [*Game of Thrones*] endings.” You can probably guess how some of our Twitter followers reacted. One of DeRay’s followers wrote, “I would have told Ajit to take his oversized cup of coffee and @#\$% right off.” One of mine asked, “Why would you as a member of the cabinet, even meet with that racist joker? #disappointed.” Tribalism is a powerful drug.

And it’s terrible for our country. I daresay that in every democratic society, political issues are guaranteed to divide. That’s why there once seemed to be an understanding in America that those issues were third-rails in casual conversation. I remember at the Sportsman Barber Shop in my hometown of Parsons, where I used to get my hair cut as a kid, they had a rule: no politics and no religion. That’s not the way things are in America today. Any and all interactions are now fair game for ferreting out whether your opinions entitle you to simple pleasantries, let alone friendship. It’s even extended to dating; the chief scientific adviser to Match.com earlier this year said that liberals and conservatives are more often screening each other out; as she put it, “all singles are becoming more rigid in their views,” with many imposing political litmus tests before a single clink of wine glasses.

The second trend I’d suggest to you: The virtual is displacing the real. As we’ve become more accustomed to interacting on the Internet, we don’t prioritize or experience in-person conversations as much. And with the lack of personal contact, we’ve forgotten the mores that we used to learn through face-to-face conversations—mores like civility and tolerance.

When you shake someone’s hand, when you look someone in the eye, when you actually hear his or her point of view directly, it’s just harder to be nasty. You may disagree, but at least you learn to limit your disagreement within a civilized range. This is healthy. This kind of tolerance helps maintain civic institutions. It’s why we prize the famous friendships of Justices Scalia and Ginsburg, or the famous collaboration of Reagan and O’Neill, or even the famous marriage of James Carville and Mary Matalin. It’s not just the novelty of ideological opponents getting along that strikes us. It’s because this is the glue of society. It’s what staves off rank tribalism and ultimately helps make us a nation.

Some have argued that anonymity has made our discourse nastier, and I think that’s true. When your identity is secret, you feel no restraint. You say literally anything you want, and nobody will hold

“What really makes the Senate work . . . is an understanding of human nature, an appreciation of the hearts as well as the minds, the frailties as well as the strengths, of one’s colleagues and one’s constituents. . . . We are doing the business of the American people. We do it every day. We have to do it with the same people every day. And if we cannot be civil to one another, and if we stop dealing with those with whom we disagree, or that we don’t like, we would soon stop functioning altogether.”

My friends, I submit that there’s something in Baker’s vision of the Senate that our country needs right now.

At the FCC, we’re working to make sure that every American is connected with high-speed Internet access. But while we’re becoming connected digitally, we can’t allow our nation of 326 million to become disconnected from each other. We need to see our fellow citizens as real people with real strengths and frailties, not as abstract online avatars. We need to speak with each other eye-to-eye in order to understand each other’s values, not snipe at each other remotely in order to demean. And when we disagree, we need to do so civilly—to see each other as people aspiring for a better country but envisioning different paths for getting there.

That’s the future that I want for this country I love. And that’s the future that we must strive for if we are to remain these *United States* of America.





FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

OFFICE OF  
THE CHAIRMAN

December 6, 2017

The Honorable Benjamin L. Cardin  
United States Senate  
509 Hart Senate Office Building  
Washington, D.C. 20510

Dear Senator Cardin:

Thank you for your letter expressing concern regarding the retransmission consent dispute between Univision and Verizon. As you stated, retransmission consent negotiations are private contractual discussions. However, the Commission does follow retransmission consent disputes closely and encourages the parties to reach agreement so that viewers are not negatively affected. We are pleased to report that Univision and Verizon have reached an agreement and that the Univision signals have been restored.

I appreciate your interest in this matter. Please let me know if I can be of further assistance.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ajit V. Pai", is written over a printed name.

Ajit V. Pai



FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

OFFICE OF  
THE CHAIRMAN

December 6, 2017

The Honorable Bob Casey  
United States Senate  
393 Russell Senate Office Building  
Washington, D.C. 20510

Dear Senator Casey:

Thank you for your letter expressing concern regarding the retransmission consent dispute between Univision and Verizon. As you stated, retransmission consent negotiations are private contractual discussions. However, the Commission does follow retransmission consent disputes closely and encourages the parties to reach agreement so that viewers are not negatively affected. We are pleased to report that Univision and Verizon have reached an agreement and that the Univision signals have been restored.

I appreciate your interest in this matter. Please let me know if I can be of further assistance.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ajit V. Pai", is written over a printed name tag.

Ajit V. Pai





FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

OFFICE OF  
THE CHAIRMAN

December 6, 2017

The Honorable Edward J. Markey  
United States Senate  
255 Dirksen Senate Office Building  
Washington, D.C. 20510

Dear Senator Markey:

Thank you for your letter expressing concern regarding the retransmission consent dispute between Univision and Verizon. As you stated, retransmission consent negotiations are private contractual discussions. However, the Commission does follow retransmission consent disputes closely and encourages the parties to reach agreement so that viewers are not negatively affected. We are pleased to report that Univision and Verizon have reached an agreement and that the Univision signals have been restored.

I appreciate your interest in this matter. Please let me know if I can be of further assistance.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ajit V. Pai", is written over a printed name tag.

Ajit V. Pai



FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

OFFICE OF  
THE CHAIRMAN

December 6, 2017

The Honorable Robert Menendez  
United States Senate  
528 Hart Senate Office Building  
Washington, D.C. 20510

Dear Senator Menendez:

Thank you for your letter expressing concern regarding the retransmission consent dispute between Univision and Verizon. As you stated, retransmission consent negotiations are private contractual discussions. However, the Commission does follow retransmission consent disputes closely and encourages the parties to reach agreement so that viewers are not negatively affected. We are pleased to report that Univision and Verizon have reached an agreement and that the Univision signals have been restored.

I appreciate your interest in this matter. Please let me know if I can be of further assistance.

Sincerely,

A handwritten signature in black ink, which appears to read "Ajit V. Pai", is written over a circular embossed seal. The seal is partially visible beneath the signature.

Ajit V. Pai



FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

OFFICE OF  
THE CHAIRMAN

December 6, 2017

The Honorable Elizabeth Warren  
United States Senate  
317 Hart Senate Office Building  
Washington, D.C. 20510

Dear Senator Warren:

Thank you for your letter expressing concern regarding the retransmission consent dispute between Univision and Verizon. As you stated, retransmission consent negotiations are private contractual discussions. However, the Commission does follow retransmission consent disputes closely and encourages the parties to reach agreement so that viewers are not negatively affected. We are pleased to report that Univision and Verizon have reached an agreement and that the Univision signals have been restored.

I appreciate your interest in this matter. Please let me know if I can be of further assistance.

Sincerely,

A handwritten signature in black ink, which appears to read "Ajit V. Pai".

Ajit V. Pai